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8 Attorneys for Plaintiff  
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10 UNITED STATES DISTRICT COURT  
11 NORTHERN DISTRICT OF CALIFORNIA  
12 OAKLAND DIVISION

13 UNITED STATES OF AMERICA, )  
14 Plaintiff, )  
15 v. )  
16 MICHAEL GREEN JOHNSON, )  
17 BOBBY RAY WILLIAMS, )  
18 STEPHEN LOUIS MONTGOMERY )  
LEONARD DAN GORDON, )  
19 Defendants. )  
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No. CR 06-00189 SBA

STIPULATION TO SCHEDULE  
HEARINGS FOR CHANGE OF PLEA  
AND SENTENCING; ORDER  
EXCLUDING TIME

1 Plaintiff, by and through its attorney of record, and defendants, by and through their  
2 attorneys of record, hereby stipulate and ask the Court to find as follows:

3 1. The government and defendants Michael Green Johnson, Bobby Ray Williams,  
4 Stephen Montgomery, and Leonard Gordon have reached negotiated dispositions in which  
5 defendants would plead guilty pursuant to binding plea agreements.

6 2. Accordingly, the parties hereby submit the proposed plea agreements, submitted  
7 under separate cover for the Court's consideration pursuant to Federal Rule of Criminal  
8 Procedure 11(c)(1)(C). The parties further stipulate and request that the Court find and order the  
9 following:

10 (a) That the parties have each submitted a plea agreement for the Court's  
11 consideration pursuant to Federal Rule of Criminal Procedure 11(c)(1)(C); and

12 (b) that a hearing for change of plea and imposition of judgment and sentence  
13 be scheduled for 10:00 a.m. on April 1, 2008, for defendant Bobby Ray Williams; and that the  
14 time period from January 11, 2008, through April 1, 2008, is excludable under the Speedy Trial  
15 Act pursuant to 18 U.S.C. § 3161(h)(1)(I) because that period of delay results from consideration  
16 by the Court of a proposed plea agreement entered into by the defendant and the government  
17 pursuant to Federal Rule of Criminal Procedure 11(c)(1)(C);

18 (c) that a hearing for change of plea and imposition of judgment and sentence  
19 be scheduled for 10:00 a.m. on April 8, 2008, for defendants Michael Green Johnson, Stephen  
20 Louis Montgomery, and Leonard Dan Gordon; and that the time period from January 11, 2008,  
21 through April 8, 2008, is excludable under the Speedy Trial Act pursuant to 18 U.S.C.  
22 § 3161(h)(1)(I) because that period of delay results from consideration by the Court of a  
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1 proposed plea agreement entered into by the defendant and the government pursuant to Federal  
2 Rule of Criminal Procedure 11(c)(1)(C).

3 IT IS SO STIPULATED.

4 DATE: January 10, 2008

Respectfully submitted,

5 JOSEPH P. RUSSONIELLO  
United States Attorney

6 /s/<sup>1</sup>

7 GARTH HIRE  
Assistant United States Attorney

8 Attorneys for Plaintiff  
9 UNITED STATES OF AMERICA

10  
11  
12 DATE: January 10, 2008

/s/

13 MARK R. VERMEULEN, ESQ.

14 Counsel for Michael Green Johnson

15 DATE: January 10, 2008

/s/

16 HAROLD ROSENTHAL, ESQ.

17 Counsel for Bobby Ray Williams

18  
19 DATE: January 10, 2008

/s/

20 JULIANA DROUS, ESQ.

21 Counsel for Stephen Montgomery

22 DATE: January 10, 2008

/s/

23 LAUREL HEADLEY, ESQ.

24 Counsel for Leonard Gordon

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<sup>1</sup> I hereby attest that I have on file all the holograph signatures for any signatures indicated  
by a “conformed” signature (/s/) within this e-filed document.

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FOR GOOD CAUSE SHOWN, IT IS SO FOUND AND ORDERED THAT:

1. A hearing for change of plea and imposition of judgment and sentence is hereby scheduled for 10:00 a.m. on April 1, 2008, for defendant Bobby Ray Williams. Time is excluded for purposes of the Speedy Trial Act from January 11, 2008, through the hearing date of April 1, 2008, pursuant to 18 U.S.C. § 3161(h)(1)(I) because that period of delay results from consideration by the Court of a proposed plea agreement entered into by the defendant and the government pursuant to Federal Rule of Criminal Procedure 11(c)(1)(C).

2. A hearing for change of plea and imposition of judgment and sentence is hereby scheduled for 10:00 a.m. on April 8, 2008, for defendants Michael Green Johnson, Stephen Louis Montgomery, and Leonard Dan Gordon. Time is excluded for purposes of the Speedy Trial Act from January 11, 2008, through the hearing date of April 8, 2008, pursuant to 18 U.S.C. § 3161(h)(1)(I) because that period of delay results from consideration by the Court of a proposed plea agreement entered into by the defendant and the government pursuant to Federal Rule of Criminal Procedure 11(c)(1)(C).

3. The presently scheduled status conference in this matter for Tuesday, January 15, 2008, at 9 a.m., is vacated as to defendants Bobby Ray Williams, Michael Green Johnson, Stephen Louis Montgomery, and Leonard Dan Gordon.

4. The United States Probation Office is ordered to prepare a Presentence Report for defendants Bobby Ray Williams, Michael Green Johnson, Stephen Louis Montgomery, and Leonard Dan Gordon.

DATED: 1/14/08

*Saundra B. Armstrong*  
HONORABLE SAUNDRA BROWN ARMSTRONG  
UNITED STATES DISTRICT JUDGE